Response to Notice of Debtors' Ninetieth Omnibus Objection to Claims and Motion Requesting Enforcement of Bar Date Orders.

U.S. BANKRUPTCY COURT, SDNY

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I hereby withdraw from this class action that I was never a part of in the first place. My objections to the Ninetieth Omnibus Objection to Claims are submitted for the benefit of those who choose to pursue their claims. Therefore, what follows is completely without prejudice on my behalf, but is of merit to me, if only to vent my frustrations at General Motors and it's total disregard for it's employees' and retirees' well being. My time invested in this response is worthwhile to me to voice my complete disgust at the enigmatic, ridiculous language in the documents I have received, obviously aimed at confusing and frustrating GM retirees from seeking justice and fair play from GM.

I am not sending this letter to the 11 parties listed, nor will I make 3.5 inch disc recordings of it per the even more ridiculous instructions on pages 2-3, also obviously intended to make it just as difficult as possible for GM retirees to pursue justice and fair play in this matter.

I will send a copy to the White House.

It is worth while to me to make the point that, despite signing retirement window agreements that state the contrary, some of us <u>were</u> coerced into early retirement, losing 50% of our annual retirement benefit in the process, when another three years of employment would have resulted in full retirement, essentially raising our standard of living from the poverty level, to reasonable compensation for 27 years of hard, loyal work.

Now, after the "pranging" we took in the form of 50% reduction in our retirement income, we have to suffer enormous rises in health care costs. I have to have surgery, and discover that the annual health care deductable has been raised to \$5000! This isn't health care, its just financial destruction insurance. No retiree living on poverty wages is going to spend money out-of-pocket to maintain their health. We now are forced into waiting until something really goes wrong, because the first \$5000 comes right out of our hides!

Isn't it self evident that, when a corporation prepares a document for an employee to sign that basically screws the employee, and the document includes the phrase "I was not coerced into signing this agreement..." that this in and of itself shows full consciousness of guilt. Like "I am not a crook", or "I did not have sexual relations with that woman...".

It is equally important to me to go on record somewhere, that, even though the Window Retirement agreement states that "In consideration for the provisions of the Window, I, on my own behalf and on the behalf of any heirs, agents, representatives, successors, or assigns, hereby release and forever discharge GM and its officers, directors, employee benefit plans, and

employees from all claims, demands, and causes of action, known or unknown, which I may have based on my employment or my separation from GM.", the <u>real</u> consideration for this or any other Window Retirement was and is my 27 years of service to GM.

It is worthwhile to me to go on record somewhere, that, for executives like Rick Wagoner to run GM into the ground, necessitating the intervention of no less than the President of the United States to effect his resignation, only to have him walk away with the \$100,000,000 in salary he received while driving GM into bankruptcy, plus another \$20,000,000 golden parachute, is completely... obscenely... wrong.

In light of this, and other mismanagement that we retirees and taxpayers have paid dearly for, why there continues to be a Board of Directors at GM astounds me. GM would be better served if the Board members were paid their annual \$250,000 salary and told to stay home.

I'm not delusional...I do not expect a response from anyone involved in the handling of this matter, which will serve to verify to me that no one is really interested in what is right or fair. Instead, just plowing ahead, getting through another day. Getting through another case.

Even though I have now given notice that I withdraw from this matter that I was never a part of in the first place, my objections to the rejection of retirees' claims under Chapter 11 case No. 09-50026 (REG) due to claim filed past the Bar Date are as follows:

- 1) In 2009, I resided in the rural town of Maquoketa, Iowa, and did not subscribe to any publication listed on page 5 of the motion for relief.
- 2) My former address was in Spokane, Washington. I have no way of knowing when the notice of the filing of this law suit against Motors Liquidation Company was received by me at my residence in Maquoketa.
- 3) I do not employ a staff of attorneys to keep me apprised of what appear to be legal matters sent to me, and assuming I and my retired peers would seek legal advice in a matter of this nebulous nature is unreasonable. Therefore, the deck is stacked in favor of Motors Liquidation in both the timing of any Bar Date, and required adherence to any such Bar Date, due to time required by non attorneys to read and comprehend the enigmatic language of the proposed action, and decide if it is even wise or prudent to file at all.
- 4) Page 7 of the Ninetieth Omnibus states that "35 days of a Bar date is recommended by the Second Amended Procedural Guidelines for filing requests for bar date Orders in the United States Bankruptcy Court for the Southern District of New York...". Bar dates appear to be only recommendations, leading me to question whether they are arbitrary and capricious, making enforcement of said Bar Date unreasonable.
- 5) The dismissal of my claim because I was honest in dating the paper work sent to me November 7, 2009, is at best a questionable technicality that I feel is unreasonable in light of the four points above.

I understand the necessity of placing a time line on bankruptcy proceedings. However, this is not some insignificant private, personal or small business proceeding. This is General Motors, a formerly publicly traded company, now owned by taxpayers and unions. This is a company that essentially defaulted on some \$27 billion it legitimately owed creditors.

This is a company that received what....\$50,000,000 in a taxpayer-funded bailout. So, a company so mismanaged that it required almost \$80,000,000 in help just to stay afloat is now questioning legitimate retiree claims based on a Bar Date? Does that in any way feel like justice?

In general, it seems harsh and unjust to allow Motors Liquidation to attempt to dismiss retiree claims that, even if allowed, would still fall far short of the retirement benefit packages that were implied by General Motors during our lifetimes of service, keeping us from jumping ship on the promise of retirement benefits an health care for our families, even though we had to give 120% every day, while forced to endure one bad management decision after another.

To reiterate, retirees witnessing the firing of executives like Rick Wagoner by no less than President Obama, due to his inept management of General Motors, with Wagoner walking away with a \$20,000,000 golden parachute, makes us all bitter and resentful at this kind of unprecedented lack of fair play and accountability.

"Forgiviness" of some \$27,000,000,000 in GM debt rightfully owed to various creditors is cause for serious review of bankruptcy law in this country. Bailout of the company to the tune of \$50,000,000,000 or so, depending on whether you're getting this information from CNBC or Fox, makes this whole mess unbelievable.

The bailout of General Motors by we, the taxpayers, should equate to our mutual ownership of GM. A company that made \$1.7 billion in a quarter can afford to keep its promises to its retirees. Fair play would dictate that the taxpayers who bailed GM out, made necessary due to decades of executive mismanagement, should share in that \$1.7 billion profit. At 61% government ownership, the pro rata math is simple.

Laws are supposed to be written to protect the innocent, and keep order in our society. Sometimes, the spirit of fair play is lost when large corporations steam role over employees and stockholders, simply because they can. Please consider what has been noted here, and side with the little guy...GM retirees.

Dan Meyer

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